

DAY PITNEY LLP

Dennis R. LaFiura
One Jefferson Road
Parsippany, NJ 07054-2891
dlafiura@daypitney.com
(973) 966-6300

ATTORNEYS FOR
Nominal Defendant

PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP

Theodore V. Wells, Jr.
1285 Avenue of the Americas
New York, NY 10019-6064
twells@paulweiss.com
(212) 373-3000

ATTORNEYS FOR
Defendants and Nominal Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE EXXON MOBIL CORPORATION
DERIVATIVE LITIGATION

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Civil Action No. 2:19-cv-16380-ES-SCM

**NOMINAL DEFENDANT'S AND DEFENDANTS' NOTICE OF MOTION TO
TRANSFER VENUE OR, ALTERNATIVELY, TO STAY PROCEEDINGS**

TO: James E. Cecchi
Donald Ecklund
Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C.
5 Becker Farm Road
Roseland, New Jersey 07068

Liaison Counsel for Co-Lead Plaintiffs

COUNSEL:

PLEASE TAKE NOTICE that on Wednesday, July 22, 2020 at 11:30 a.m. or as soon thereafter as counsel may be heard, nominal defendant Exxon Mobil Corporation (“ExxonMobil”) and the individual defendants (with ExxonMobil, “Defendants”), by and through their undersigned attorneys, will move the United States District Court for the District of New Jersey, before the Honorable Steven C. Mannion, located at Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101, for an Order, pursuant to the Third Circuit’s first-filed rule and 28 U.S.C. § 1404(a), to transfer this action to the United States District Court for the Northern District of Texas or, alternatively, pursuant to the Third Circuit’s first-filed rule and in the exercise of this Court’s equitable discretion, to stay proceedings in this action pending resolution of prior-filed actions in that district; and

PLEASE TAKE FURTHER NOTICE that in support of the within motion, ExxonMobil shall rely upon the Declarations of Patrice Childress and Matthew D. Stachel and the brief in support of the motion; and

PLEASE TAKE FURTHER NOTICE that opposition to the within motion must be filed and served no later than May 18, 2020; and

PLEASE TAKE FURTHER NOTICE that oral argument shall be heard on July 22, 2020 at 11:30 a.m.; and

PLEASE TAKE FURTHER NOTICE that at that time and place aforesaid, Defendants will request that the proposed form of Order submitted herewith be entered by the Court.

Dated: April 27, 2020

DAY PITNEY LLP

/s/ Dennis R. LaFiura

Dennis R. LaFiura
Elizabeth J. Sher
1 Jefferson Road
Parsippany, NJ 07054-2891
Tel.: (973) 966-6300
Email: dlafiura@daypitney.com
esher@daypitney.com

Attorneys for Nominal Defendant

**PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP**

OF COUNSEL:

Daniel J. Kramer (*pro hac vice*)
Daniel J. Toal (*pro hac vice*)
Jonathan H. Hurwitz (*pro hac vice*)
Matthew D. Stachel (*pro hac vice*)
**PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP**
1285 Avenue of the Americas
New York, NY 10019-6064
Tel.: (212) 373-3000
Email: dkramer@paulweiss.com
dtoal@paulweiss.com
jhurwitz@paulweiss.com
mstachel@paulweiss.com

/s/ Theodore V. Wells, Jr.

Theodore V. Wells, Jr.
1285 Avenue of the Americas
New York, NY 10019-6064
Tel.: (212) 373-3000
Email: twells@paulweiss.com

*Attorneys for Defendants and Nominal
Defendant*